U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 10/002.469 **Application Number TRANSMITTAL** Filing Date November 14, 2001 **FORM** RECEIVED First Named Inventor Kauffman, Marc W. (to be used for all correspondence after initial filing) Art Unit 2122 MAR 0-5°2003 Unassigned **Examiner Name** 019396-002100Us Technology Center 2100 Total Number of Pages in This Submission Attorney Docket Number ENCLOSURES (Check all that apply) After Allowance Communication to Fee Transmittal Form □ Drawing(s) Group Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Petition Appeal Communication to Group Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Terminal Disclaimer Other Enclosure(s) Extension of Time Request (please identify below): Request for Refund Return Postcard Express Abandonment Request CD, Number of CD(s) Cited References: Second Supplemental Information (10-US Patents; 2-US Publications) Disclosure Statement The Commissioner is authorized to charge any additional fees to Certified Copy of Priority Deposit Account 20-1430. Remarks Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Townsend and Townsend and Crew LLP Firm Thomas D. Franklin Reg. No. 43,616 Individual Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Marc W. Kauffman

Application No.: 10/002,469

Filed: November 14, 2001

For: QUALITY OF SERVICE CONTROL OF

STREAMED CONTENT DELIVERY

Examiner: Unassigned

Art Unit: 2122

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR

§1.97 and §1.98

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Marc W. Kauffman
Application No.: 10/002,469

Page 2

Applicant believes that <u>no fee is required</u> for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Thomas D. Franklin Reg. No. 43,616

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834

Tel: 303-571-4000-Fax: 303-571-4321

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STATE	MENT B	Y APP	LICANT	First Named Inventor	Kauffman, Marc W.	
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(use as many sheets as necessary)				Examiner Name	Unassigned	
Sheet	1	of	1	Attorney Docket Number	019396-002100US	

U.S. PATENT DOCUMENTS						
		Document Number				
Examiner	Cite No. ¹	Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	AA	US-5,619,424 •	04-08-1997	Cookson, et al.		
	AB	US-5,623,424 🗸	04-22-1997	Azadegan, et al.		
	AC	US-5,684,714 €	11-04-1997	Yogeshwar, et al.		
	AD	US-5,898,693 €	04-27-1999	Vecchi, et al.		
	AE	US-5,819,004 P	10-06-1998	Azadegan, et al.	RECEIVED	
•	AF	US-6,026,232 @	02-15-2000	Yogeshwar, et al.	- · · · · · ·	
	AG	US-6,026,446 ø	02-15-2000	Ostrover, et al.	MAR 0 6 2003	
	AH	US-6,044,396 .	03-28-2000	Adams		
	Al	US-6,341,309 B1 #	01-22-2002	Vaid, et al.	Technology Center 210	
	AJ	US-6,424,657 B1 /	07-23-2002	Voit, et al.	The state of the s	
	AK	US-2002/0026645 A1 •	02-28-2002	Son, et al.		
	AL	US-2002/0108117 A1 ø	08-08-2002	Sedlak, et al.		

-	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document Number ⁴		Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant	т ⁶	
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